

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KEVIN L. JEFFERSON,

Plaintiff,

-against-

JANE DOE, Corrections Officer, VINCENT
DEMARCO, Sheriff,

Defendants.
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**REPORT AND
RECOMMENDATION**

CV 08-204(JS)(ARL)

LINDSAY, Magistrate Judge:

Before the court, on referral from District Judge Seybert, is the plaintiff's *ex parte* motion for a preliminary injunction. The plaintiff, who alleges in his complaint that he was denied access to prisoner grievance forms while incarcerated at the Suffolk County Correctional Facility, seeks to enjoin the defendants from any future denial of access to the forms. However, by letter dated February 13, 2007, the plaintiff has advised the court that he has been released from custody and is now residing at his home in Riverhead. Accordingly, the undersigned recommends that the motion for a preliminary injunction be denied as moot.

OBJECTIONS

Any objections to this Report and Recommendation must be filed with the Clerk of the Court with a courtesy copy to the undersigned within 10 days of service. Failure to file objections within this period waives the right to appeal the District Court's Order. *See* 28 U.S.C. §636 (b) (1); Fed. R. Civ. P. 72; *Beverly v. Walker*, 118 F.3d 900, 902 (2d Cir. 1997); *Savoie v. Merchants Bank*, 84 F.3d 52, 60 (2d Cir. 1996).

Dated: Central Islip, New York
February 27, 2008

_____/s/_____
Arlene R. Lindsay
United States Magistrate Judge